

1 S.220

2 Senator Mullin moves that the bill be amended by adding Sec. X to read as
3 follows:

4 Sec. X. 30 V.S.A. § 218e is added to read:

5 § 218e. INDEPENDENT CONTRACTING FOR ELECTRICITY

6 (a) Policy and intent. It is the policy of the State of Vermont to encourage
7 the development of options for industrial class customers and for commercial
8 class customers engaged in manufacturing to exercise choice in contracting
9 independently for electricity supply. The intent of this policy is:

10 (1) to encourage recruitment and retention of employers providing high
11 quality jobs and related economic investment and to support the State's
12 economic welfare by providing qualifying customers opportunities to reduce
13 electricity costs, with resulting economic benefits for Vermonters and the
14 Vermont economy, as a whole; and

15 (2) to pursue the economic benefits of allowing qualifying customers
16 options to exercise choice while also providing reasonable limitations and
17 conditions that mitigate cost shifts onto other customers and minimize conflict
18 with mandatory renewable energy requirements in Vermont.

19 (b) Programs and policies. Notwithstanding any other provision of law to
20 the contrary, for rate setting proceedings initiated after July 1, 2014, the Public
21 Service Board shall encourage the development of programs and policies to

1 provide options for industrial class customers and for commercial class
2 customers engaged in manufacturing within a utility's service territory to
3 exercise choice in contracting independently for electricity supply. The Board
4 shall approve policies and programs it deems consistent with the policy and
5 intent of this section. The Board may:

6 (1) limit the number of qualifying customers;

7 (2) establish thresholds for qualifying customer electricity consumption;

8 (3) specify a customer's portion of electricity supply open for
9 independent contracting; and

10 (4) impose any other limitations or conditions it deems appropriate.

11 (e) Disapproval. The Board may disapprove proposed programs or policies
12 developed under this section if it determines they would result in undue and
13 unreasonable cost shifts onto non-qualifying customers. The Board shall
14 provide interested parties the opportunity in an uncontested proceeding to file
15 briefs in support of or in opposition to such a determination, and shall consider
16 revising or confirming its determination accordingly. If the Board denies a
17 utility's participation in a policy or program under this section, the Board shall
18 submit by January 15 of the following year a report to the General Assembly
19 with findings and analysis in support of such denial. The report shall include
20 any public filings submitted in the relevant uncontested proceeding.